



STATE OF NEW JERSEY

In the Matter of Benjamin Sudano, Jr., Network Administrator 1 (PS3774K), Department of Human Services	:	FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION
	:	
	:	
	:	
	:	
	:	
CSC Docket No. 2018-3335	:	Examination Appeal
	:	
	:	

ISSUED: NOVEMBER 2, 2018 (JET)

Benjamin Sudano, Jr. appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the promotional examination for Network Administrator 1 (PS3774K), Department of Human Services.

The promotional examination was announced with specific requirements which had to be satisfied by the October 23, 2017 closing date. The requirements were graduation from an accredited college or university with a Bachelor’s degree which included a minimum of 18 semester hours of credit in mathematics and/or computer science, and three years of experience in the development, implementation, and maintenance of multi-network, multi-user Local Area Network (LAN), Metropolitan Area Network (MAN), and/or Wide Area Network (WAN) environments. A total of four candidates applied for the subject examination which resulted in a list of two eligibles with an expiration date of May 9, 2021.

On his application, the appellant indicated that he possessed 126 college credits. Further, the appellant listed on his application that he served as an Information Technology Specialist from January 2013 through April 2016. Official personnel records indicate that the appellant served as a provisional Network Administrator 1 from April 2017 to the October 23, 2017 closing date and as an Information Technology Specialist from January 2013 through April 2017. The appellant also listed that he served as Desktop Support from June 2010 through

January 2013, as a Computer Support Technician from May 2008 through June 2010, and as a Computer Technician from May 2008 to June 2010. Agency Services credited him with having met the experience requirement, but determined that he lacked 10 semester hours in math or computer science from an accredited institution. Accordingly, Agency Services determined that the appellant was ineligible for the examination.

On appeal, the appellant maintains that he possesses sufficient semester hour credits to qualify for the examination. He adds that he completed courses in Management Information Systems, Statistics, and Statistics in Psychology. As such, he argues that such courses focused entirely on mathematic concepts, complex calculations, and aid of computer software.

Official personnel records indicate that the appellant continues to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant did not meet the required education as his transcript reflects that he possesses 10 college credits in math or computer science from an accredited institution. Further, the courses highlighted by the appellant on appeal are clearly inapplicable. However, it cannot be ignored that the appellant has numerous years of experience in computer science and information technology work. Therefore, although the appellant does not possess the required number of credits, the Commission is satisfied that the totality of the appellant's information technology experience warrants his admission to the subject examination, especially since the appellant continues to serve provisionally in the subject title and the situation is not competitive as only two applicants appear on the list. Therefore, under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the totality of the appellant's experience and education, and admit him to the subject examination.

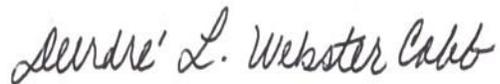
It is noted that this remedy is limited to the particular circumstances of this matter and does not set a precedent for any other matter.

ORDER

Therefore, it is ordered that this appeal be granted and the appellant's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 31st DAY OF OCTOBER, 2018



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher Myers
Director
Division of Appeals
& Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
PO Box 312
Trenton, New Jersey 08625-0312

c: Benjamin Sudano, Jr.
Tahishia McKeithen
Kelly Glenn
Records Center